

SPECIAL COMMITTEE ON
CULTURAL MATTERS

Mr. LIEBERMAN. Mr. President, last evening after the final vote occurred, my friend and colleague from Kansas, Senator BROWNBAC, took the floor and offered an amendment which he then withdrew. I was not able, because of my personal schedule, to be here at that time. But as an original sponsor of the original legislation offered by Senator BROWNBAC, which would have created a special committee on cultural matters, I did want to simply say a few words about this.

I know this became controversial within the Senate, but I felt from the beginning that Senator BROWNBAC's intentions were not only worthy but they were relevant; that the cultural problems which the committee, or later the task force, would have addressed are real, as every family in America knows when their children turn on the television or go to a movie or listen to a CD or play a video game.

The problems are not only real, but they are actually relevant to so many of the matters we more formally discuss on the floor of the Senate—such as the solitary explosions, violent criminal behavior, problems such as teenage pregnancies, I think all of which are affected by the messages our culture gives our children and, indeed, adults about behavior. Of course, I am talking about the hypersexual content, hyperviolent content in too much of our culture.

In this case, this effort by Senator BROWNBAC, with the withdrawal of the amendment last night, was not to culminate successfully. But the battle will go on.

Clearly, the standing committees of the Senate will—I certainly hope they will; I am confident they will—continue to pursue cultural questions because they are so important, they are so central to the moral condition and future of our country. I look forward to working on those with Senator BROWNBAC and other colleagues as we go forward.

HONORING 20TH ANNIVERSARY OF
THE ESPN NETWORK

Mr. LIEBERMAN. Mr. President, I note there is a rule in the Senate against using props. I, just for a moment, ask unanimous consent for a transitional prop, if I might briefly hold this up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair.

This is my favorite ESPN parka. It gives you an indication of about what I am going to speak. It is in some sense as cultural as the first part of my comments. It does involve the influence of television on the American culture. But today, in this part of it, the news is good and the occasion is one to cele-

brate, particularly for those who may find some meaning in words that might confuse visitors from another planet, such as "en fuego" or "boo-yaah." Twenty years ago, a small cable television enterprise, tucked away in the woods of central Connecticut, introduced itself to America with these words:

If you're a fan, what you'll see in the minutes, hours and days to follow may convince you that you've gone to sports heaven.

True to that prophecy, the past 20 years have marked our national elevation into another world of sublime sports saturation.

In recognition of its outstanding contribution in shaping the sports entertainment industry, I wish to speak today—and I believe I speak for all of my colleagues, at least a great majority—in offering our kudos to an American sports institution and the pride of Bristol, CT—the ESPN Network which turned 20 years old last month, on September 7. The folks at ESPN aired an anniversary special that night duly celebrating the network's unique constructive contribution to our culture, and yesterday there was a congressional reception in honor of that anniversary.

Those of us who attended not only had the chance to toast ESPN but to meet an extraordinary group of American heroes: boxing legend Muhammad Ali, football great Johnny Unitas, and Olympian Carl Lewis.

So I take the floor to pay tribute to one of my favorite corporate constituents, and I think one of America's favorite networks.

The story of how ESPN came to be is really an American rags to riches classic, and that network's unbreakable bond with the small Connecticut city of its founding is part of that story.

Bristol, CT, population 63,000, is a wonderful town, 20 minutes west of Hartford. Most famous previously for being the cradle of clockmaking during the industrial age, Bristol seemed an unlikely candidate to emerge as the cradle of electronics sports media, but it did. Believe it or not, ESPN probably would not exist today—certainly not in Bristol—if the old New England Whalers of the World Hockey Association had not had a disappointing season in 1978.

The Whalers' public relations director, a man named Bill Rasmussen, one of several employees to lose his job in a front-office shakeup at the end of that season, decided he had an idea he wanted to try. He was a Whalers man at heart, and he figured he could stay involved with his team by starting a new cable television channel that would broadcast Whalers games statewide. He even had a second-tier dream of someday possibly broadcasting University of Connecticut athletics statewide as well.

Rasmussen rented office space in Plainville, CT, near Bristol, and

thought up the name Entertainment and Sports Programming Network, or ESPN. But before he had even unpacked in Plainville, he ran into his first problem—the town had an ordinance which prohibited satellite dishes. Undeterred, Rasmussen scrambled to nearby Bristol, found a parcel of land in an industrial park in the outskirts of the city, which he promptly bought, sight unseen, I gather, for \$18,000. The rest, as they say, is history.

Today, ESPN, from this same location, generates \$1.3 billion a year in revenues and is seen in more than 75 million American homes.

ESPN realized that second-tier dream that Rasmussen had. Earlier this year, his station provided exhaustive coverage of UConn athletics when the Huskies won the NCAA men's basketball championship—only the game was not broadcast statewide; it was broadcast worldwide.

Twenty years after its founding, ESPN commands an international audience that watches every sport—from baseball to badminton to Australian rules football. The network's flagship, SportsCenter, is currently the longest running program on cable television, with more than 21,000 episodes logged—truly, the Cal Ripken of network television.

In a measure of its enormous influence on our culture, the catch phrases coined by SportsCenter's quick-witted anchors routinely find their way into the American vocabulary, such as the aforementioned "en fuego" and "boo-yaah."

The program also has broadened sports appeal by peppering broadcasts with references to literature, history, and other high-minded fields not always connected with sporting events. The father of this breed of broadcasting, of course, is Chris Berman, probably my most famous constituent. He was hired from a Waterbury, CT, radio station at the age 24 to become one of ESPN's pioneering voices. What a great professional and source of great joy Chris Berman is.

A testament to his place among sportscasting greats can be heard across ballparks in America each time a home run ball is struck. If you listen closely, as the ball nears the fence, you may think that the ballfield is being overtaken by a herd of chickens clucking: "Back, back"—I am restraining myself here on the floor, Mr. President, but you get the idea—"back, back, back, back, back," in homage to the Swami's classic call. Berman is also the father of the modern sports nickname, concocting such classics as: Burt "Be Home" Blyleven, John "I Am Not A" Kruk, and Roberto "Remember The" Alomar. There are certain individuals unnamed in the Democratic Cloakroom who have attempted to emulate this style of nicknaming for sports figures, and they are not doing

badly. Oh, and lest we forget another household name, ESPN introduced us to the man who genuinely put the "Madness" into March Madness—the nattering nabob of Naismith, the great Dick Vitale.

So thanks to Chris Berman, to Dick Vitale, and to all the others who have made ESPN part of our lives.

ESPN is today to sports what Walter Cronkite once was to politics and public affairs—the authoritative voice fans turn to when a major story breaks. As political columnist George Will once wisely said: "If someone surreptitiously took everything but ESPN from my cable television package, it might be months before I noticed."

Mr. President, I ask unanimous consent for 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Despite ESPN's national prominence and its countless opportunities to relocate to a larger media market, the network has steadfastly stayed with bucolic Bristol, as it is endearingly referred to on the air. ESPN maintains its foothold in the same industrial park where it began 20 years ago, although the Bristol campus, as it is now called, spans today 43 acres and the network has 210 employees. We in Connecticut are very proud of this relationship and particularly of ESPN's leaders and broadcasters who have happily put down roots and raised their families in central Connecticut.

I think John Leone, former mayor of Bristol, now head of the Bristol Chamber of Commerce, may have summed up the relationship between the city and its network best when he said:

In New York, ESPN would be just another network. Here in Bristol, ESPN is the king.

So to the king of Bristol—and their royalty of American sports television—I say happy 20th, ESPN, and many more.

Before I yield the floor, I want to give a special thank you to Eric Kleiman of my office staff who truly inspired this statement of gratitude and tribute to a great television network.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNBORN VICTIMS OF VIOLENCE ACT

Mr. DEWINE. Mr. President, yesterday my colleagues in the Senate, Senator HELMS, Senator ENZI, Senator VOINOVICH, Senator Tim HUTCHINSON, and Senator NICKLES, introduced a bill

that would establish new criminal penalties for anyone injuring or harming a fetus while committing another Federal offense. By providing a Federal remedy, our bill, the bill we are calling the Unborn Victims of Violence Act, will help ensure that crimes against unborn victims are in fact punished. The House passed their version of this bill yesterday by a vote of 254 to 172.

Tragically, unborn babies, perhaps more than we realize, are the targets—sometimes intended, sometimes otherwise—of violent acts. That is why we need to pass this bill.

Let me give several very disturbing real-life examples.

In 1996, Airman Gregory Robbins and his family were stationed in my home State of Ohio at Wright-Patterson Air Force Base. At that time, Mrs. Robbins was more than 8 months pregnant with a daughter whom they would name Jasmine.

On September 12, 1996, in a fit of rage, Airman Robbins wrapped his fist in a T-shirt to reduce the chance he would inflict visible injuries and then savagely beat his wife by striking her repeatedly about the head and the stomach. Fortunately, Mrs. Robbins survived this violent assault, but, sadly and tragically, her uterus ruptured during the attack, expelling the baby into her abdominal cavity, causing this little child's death.

A prosecutor sought to prosecute the airman for the little girl's death, but neither the Uniform Code of Military Justice nor the Federal code makes criminal such an act, such an act which results in the death or injury of an unborn child. So they had to look outside the Federal code, outside that law. The only available Federal offense actually was for the assault on the mother. That, of course, is a Federal offense.

This was a case in which the only available Federal penalty obviously did not fit the crime. So prosecutors looked outside Federal law, used Ohio law, and then bootstrapped—if we can use the term—the Ohio fetal homicide law to convict Mr. Robbins of Jasmine's death. This case is currently pending appeal. We certainly hope justice is done. It is being appealed under the theory that if it was not in fact a Federal offense, you could not use the assimilation statute to bring this into the court using the Ohio law.

If it weren't for the Ohio law that is already in place and that the Presiding Officer of the Chamber was very instrumental in getting passed and signed into law, there would have been no opportunity to prosecute and punish Airman Robbins for the assault against baby Jasmine.

We need a Federal remedy to avoid having to bootstrap State laws and to provide recourse when a violent act occurs during the commission of a Federal crime, especially in cases when the

State in which the crime occurs does not have a fetal protection law in place, because there are some States that simply do not.

There are other sickening examples of violence against innocent unborn children. An incident occurred in Arkansas just a few short weeks ago. Nearly 9 months pregnant, Shawana Pace of Little Rock was days away from giving birth to a child. She was thrilled about the pregnancy. Her boyfriend, Eric Bullock, did not share her joy and did not share her enthusiasm. In fact, Eric wanted the baby to die. So he hired three thugs to beat her, and to beat her so badly that she would lose this unborn child. During the vicious assault against mother and child, one of the hired hitmen allegedly said—and I quote—Your baby is going to die tonight.

Tragically, the baby did die that night. Shawana named the baby Heaven. We all should be saddened, we all should be sickened, by the sheer inhumanity and brutality of this act of violence.

Fortunately, the State of Arkansas, like Ohio, passed a fetal protection law which allows Arkansas prosecutors to charge defendants with murder for the death of a fetus. Under previous law, such attackers could be charged only with crimes against the pregnant woman. That is under the old law, as in the case of Baby Jasmine's death in Ohio, but for the Arkansas State law, there would be no remedy—no punishment—for Baby Heaven's brutal murder. The only charge would be assault against the mother.

Another example: In the Oklahoma City World Trade Center bombings—here, too—Federal prosecutors were able to charge the defendants with the murders of, or injuries to, the mothers—but not to their unborn babies. Again, Federal law currently only provides penalties for crimes against born humans. There are no Federal provisions for the unborn, no matter what the circumstances, no matter how heinous the crime. This clearly is wrong.

Within the Senate, we have the power to do something about this, to rectify this wrong, to change the law. That is what our bill is intended to do.

It is wrong that our Federal Government does absolutely nothing to criminalize violent acts against unborn children. We must correct this loophole. I think most Americans would look at it that way and say that is a loophole that should not exist. Congress should change this. We must correct this loophole in our law, for it allows criminals to get away with violent acts—and sometimes even allows them to get away with murder.

We, as a civilized society, should not, with good conscience, stand for that. That is why our bill would hold criminals liable for conduct that harms or kills an unborn child. It would make it